Translation

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 11477/X-BA/MF	FOR FURTHER ACT	TION	See Form PCT/IPEA/416				
International application No. PCT/EP2003/012649	International filing date (12 November 2003		Priority date (day/month/year) 12 November 2002 (12.11.2002)				
International Patent Classification (IPC) or national classification and IPC G09F 3/02							
Applicant HAUNI MASCHINENBAU AG							
 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 							
2. This REPORT consists of a total of	2. This REPORT consists of a total of 5 sheets, including this cover sheet.						
3. This report is also accompanied by A							
a. (sent to the applicant and	to the International Bure	au) a total of	sheets, as follows:				
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).							
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.							
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).							
4. This report contains indications relating to the following items:							
Box No. I Basis of the re	Box No. I Basis of the report						
Box No. II Priority							
Box No. III Non-establish	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability						
Box No. IV Lack of unity	Box No. IV Lack of unity of invention						
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
Box No. VI Certain documents cited							
Box No. VII Certain defect	Box No. VII Certain defects in the international application						
Box No. VIII Certain observations on the international application							
Date of submission of the demand		Date of completion of this report					
09 June 2004 (09.06.2004)		21	21 July 2004 (21.07.2004)				
Name and mailing address of the IPEA/EP		Authorized officer					
Facsimile No.		Telephone No.	phone No.				

International application No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

PCT/EP2003/012649

Box No.	I ł	Basis of the report							
 With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item. 									
	This report is based on translations from the original language into the following language which is language of a translation furnished for the purpose of:								
		international search (under Rules 12.3 and 23.1(b))							
		publication of the international application (under Rule 12.4)							
		international preliminary examination (under Rules 55.2 and/or 55.3)							
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report): The international application as originally filed/furnished									
		escription:							
	pages	as originally filed/firmished							
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3.	The a	mendments have resulted in the cancellation of:							
		the description, pages							
[님	the claims, Nos.							
	H								
		the drawings, sheets/figs							
	닖	the sequence listing (specify):							
	Ш	any table(s) related to sequence listing (specify):							
4	made (Rule	report has been established as if (some of) the amendments annexed to this report and listed below had not been established to go beyond the disclosure as filed, as indicated in the Supplemental Box to 70.2(c)). the description, pages							
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International application No.
PCT/EP 03/12649

NO

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement					
	Novelty (N)	Claims	1, 9, 14, 16, 17	YES		
		Claims		NO NO		
	Inventive step (IS)	Claims	1, 9, 14, 16, 17	YES		
		Claims		NO		
	Industrial applicability (IA)	Claims	1, 9, 14, 16, 17	YES		

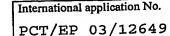
- 2. Citations and explanations
 - 1). Reference is made to the following documents:

Claims

D1: DE 101 00 248 A (FOCKE & CO) 11 July 2002 (2002-07-11)

D2: WO 01/43110 A (BOEGLI GRAVURES S A; BOEGLI CHARLES (CH)) 14 June 2001 (2001-06-14).

- 2). The invention concerns a method and a device for identifying a package filled in particular with cigarettes, as well as the package itself. The aim of the invention is to permit the clear and unambiguous marking, and therefore identification, of the package and hence to make it possible to reliably verify the authenticity thereof.
- 2.1) The problem is solved by the essential features according to which a property that is characteristic of the package element/wrapping is determined as a measurement variable when the package is manufactured and the measurement variable is stored with a further code so as to form a unique data record. Thereafter, a package can be clearly marked by assigning the encoding to the measurement variable such that for every package a unique date



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record is produced. An essential advantage thereof is that the characteristics peculiar to each package can be used for identifying same.

Claims 1, 9, 14, 16 and 17 3).

The method according to document D1 provides that an encoded code consisting of figures and/or letters and usually generated from production data is applied to the package and for control purposes compared with the stored production data. Document D1 does not disclose the essential, characterizing method steps of the independent claims, according to which a property that is characteristic of the package element/wrapping is determined as a measurement variable when the package is manufactured and the measurement variable is stored with a further code so as to produce a unique data record. Document D2 is even further removed from the invention.

Other observations:

Contrary to PCT Rule 5.1(a)(ii), the description does not cite document D1 or indicate the relevant prior art disclosed therein.